

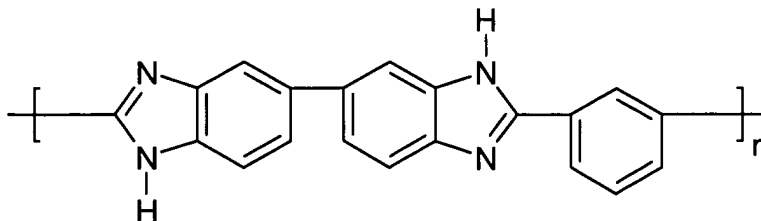
REMARKS**Election/Restriction**

The Examiner advanced a requirement for the election of species. The Examiner stated that there are 22 repeating units in Claim 37, each of which combines with specific formula in Claim 39 to form a species. The Examiner requested that Applicants select one repeating unit from Claim 37 and one specific formula from Claim 39.

Reply to Requirement for the Election of Species

Applicants respectfully submit that the specific formulas in Claim 39 show the *species* of the *genera* claimed in Claim 37. Applicants direct the Examiner's attention to the English translation of the instant application, page 11, line 20 through page 15, line 5. Specifically, it is disclosed in the instant specification (the English translation, page 11, lines 20-23) that the polymers comprising benzimidazole units are the preferred embodiments of the present invention. Applicants further note that, for example, the first structural formula of Claim 39 falls within the genus described by formula (I) of Claim 37. In other words, the chemical compounds listed in Claim 39 are both the preferred embodiments of a repeat unit of the polyazole polymer formed in step (C) of the methods recited in base Claim 25 *and* the preferred embodiments of the generic chemical structures listed in Claim 37.

Accordingly, the genera of Claim 37 do *not* combine with the species of Claim 39 to form a species of the genus claimed in base. Thus, responsive to the requirement for the election of species, Applicants elect the first benzimidazole unit listed in Claim 39:



It is Applicants' understanding that this is an election of species for the purposes of examination and search, and that, should the Examiner determine that the elected method of use is novel, Applicants will be entitled to examination of the non-elected compounds.

CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By 

Alexander Akhiezer

Registration No. 54,617

Telephone: (978) 341-0036

Facsimile: (978) 341-0136

Concord, MA 01742-9133

Date:

